**Application No.:** 10/693,149

Office Action Dated: March 16, 2007

This listing of claims will replace all prior versions, and listings, of claims in the application.

## **Listing of Claims:**

1. (Canceled)

2. (New) A system that detects the state of a computer network, comprising: at least one agent disposed in said computer network, each said agent comprising:

data collection means for passively collecting, monitoring, and aggregating data representative of activities of respective nodes within said computer network;

means responsive to the data from the data collection means for analyzing said data to develop activity models representative of activities of said network in a normal state and activities of said network in an abnormal state; and

means for comparing collected data to said activity models to determine the state of said computer network at different times and to dynamically update said activity models.

- 3. (New) The system of claim 2, wherein said at least one agent comprises a plurality of distributed agents.
- 4. (New) The system of claim 2, wherein said data collection means collects data representative of operation of said computer network, including respective nodes in said computer network, said data relating to communications, internal and external accesses, code execution functions, and/or network resource conditions of respective nodes in said computer network.
- 5. (New) The system of claim 2, wherein said activity models characterize conditions within said computer network including behaviors, events, and/or functions of respective nodes of said computer network, said behaviors representative of said normal state and one or more abnormal states representative of suspicious activity in said computer network.
- 6. (New) The system of claim 2, further comprising means for characterizing the state of the computer network and identifying any potential threats based on said collected data.

**Application No.:** 10/693,149

Office Action Dated: March 16, 2007

7. (New) The system of claim 6, wherein said characterizing means further

recommends remedial repair and/or recovery strategies to isolate and/or neutralize the

identified potential threats to the computer system.

8. (New) The system of claim 2, wherein respective agents are connected by

redundant communications connections.

9. (New) The system of claim 2, wherein each agent is implemented in redundant

memory and hardware that is adapted to be insulated from infected components of said

computer network.

10. (New) The system of claim 2, wherein the agents a plurality of agents are

disposed in a hierarchical structure whereby communications from bottom level agents to

agents at higher levels in the hierarchy are limited.

11. (New) The system of claim 2, further comprising means for predictively modeling

the behavior of said computer network based on sequentially occurring behavior patterns in

the data collected by said data collection means.

12. (New) The system of claim 2, wherein said comparing means comprises means

for pattern matching collected data with data in said activity models to determine a closest

activity model based upon similarity of the data in each data model with the collected data.

13. (New) The system of claim 2, wherein the collected data represents actions of a

virus, system responses to actions of a virus, actions of a hacker, system responses to actions

of a hacker, threats directed to discrete objects in said computer network, and/or potential

triggers of a virus or threat to said computer network.

Page 4 of 9

**Application No.:** 10/693,149

Office Action Dated: March 16, 2007

14. (New) The system of claim 2, wherein said analyzing means for each agent filters and analyzes received data and dynamically redistributes the analyzed and filtered data to other agents associated with said each agent.

15. (New) The system of claim 2, wherein said analyzing means performs a pattern analysis on the collected data and said comparing means compares the results of the pattern analysis to the results of pattern matching by analyzing means of other agents to identify similar patterns of suspicious activity in different portions of the computer network.

16. (New) The system of claim 2, wherein the comparing means compares names and email addresses in said collected data against known criminal, hoaxsters and/or aliases for known criminals and hoaxsters.

17. (New) The system of claim 2, further comprising a trusted server that receives attack data from a plurality of agents identifying abnormal states indicative of a network attack, said trusted server gathering the attack data and sending warnings to selected nodes in said computer network.

18. (New) A method of detecting the state of a computer network, comprising: providing at least one agent disposed in said computer network to passively collect, monitor, and aggregate data representative of activities of respective nodes within said computer network;

analyzing said data to develop activity models representative of activities of said network in a normal state and activities of said network in an abnormal state; and comparing collected data to said activity models to determine the state of said computer network at different times and to dynamically update said activity models.

19. (New) The method of claim 18, wherein the at least one agent reports any suspicious activity that exceeds a suspicion threshold.

**Application No.:** 10/693,149

Office Action Dated: March 16, 2007

20. (New) The method of claim 19, wherein the at least one agent transmits said analyzed data in order to determine an origin of the suspicious activity in the computer network.

21. (New) The method of claim 20, further comprising scanning said analyzed data for patterns and comparing said patterns to data representative of patterns of known threats to said computer network for identification of said suspicious activity.